

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

FILED
JEANNE A. NAUGHTON, CLERK

FEB 25 2019

U.S. BANKRUPTCY COURT
CAMDEN, N.J.
BY [Signature] DEPUTY

In Re:

Richard - Crystal
Sanasiak

Case No.: 17-30458

Judge: ABA

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

☒ CREDITOR'S MOTION or CERTIFICATION OF DEFAULT

☐ TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following (choose one):

1. ☒ Motion for Relief from the Automatic Stay filed
by Ally Capital, creditor,

A hearing has been scheduled for 3/12/19, at 10 am m.

OR

☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____ m.

☐ Certification of Default filed by _____, creditor,

I am requesting a hearing be scheduled on this matter.

OR

☐ Certification of Default filed by Standing Chapter 13 Trustee

I am requesting a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons (choose one):

☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached hereto.

☒ Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer): Between March 2018 and December 2018 I was experiencing extreme hardship due to an on-going personal matter. Please see attached letter.

☐ Other (explain your answer): _____

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 2/21/19

[Signature]
Debtor's Signature

Date: 02/21/19

[Signature]
Debtor's Signature

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested and no hearing will be scheduled.

Case Name: Richard J. Janasiak and Crystal L. Janasiak/Elkins

Case Number: 17-30458-ABA

Document Number: 25

Dear Sir/Ma'am,

I, Crystal L. Janasiak/Elkins, am writing this in response to a motion filed by Mr. John R. Morton Jr, esquire, attorney for Ally Capital. I received notification via mail on February 20, 2019 that a repossession request was filed in regards to my 2014 Chevy Malibu that I am financing through Ally Financial. The reason I am sending this response is because I am the primary loan holder for the 2014 Chevy Malibu financed through Ally Financial.

Between March of 2018 and December of 2018 I was experiencing extreme financial hardship due to an on-going personal matter that I was experiencing. Unfortunately during this time period there were several months that I was unable to afford sending payment to Ally Financial for the 2014 Chevy Malibu.

I sent proper payments for the 2014 Chevy Malibu via check in standard mail for the following months, which were withdrawn by Ally Financial from my checking account:

- Payment sent totaling \$376.76 for January 2018
- Payment sent totaling \$376.76 for February 2018
- Payment sent totaling \$376.76 for April 2018
- Payment sent totaling \$376.76 for May 2018
- Payment sent totaling \$376.76 for June 2018
- Payment sent totaling \$376.76 for July 2018
- Payment sent totaling \$376.76 for September 2018
- Payment sent totaling \$376.76 for October 2018
- Payment sent totaling \$376.76 for December 2018
- Payment sent totaling \$376.76 for February 2019 (currently sent via standard mail and pending withdraw by Ally Financial)

Proof of the above transactions being sent/withdrawn are also attached to this response. The motion filed on February 19, 2019 by Mr. John R. Moron Jr, states that I have sent zero payments for the 2014 Chevy Malibu since September of 2018. As you can see, via the attached documentation, the checks sent for September 2018, October 2018, December 2018, and February 2019 (pending withdraw) were withdrawn from my checking account by Ally Financial so, contrary to the filed motion, payments were made throughout this time.

As I stated above, I was experiencing an extremely difficult financial burden throughout the duration of March of 2018 and December of 2018. I do sincerely apologize for the months that I was

unable to make payments for during this time but, I did send in several months of payments as soon as I was able to afford to do so.

I honestly cannot afford for my vehicle to be repossessed since this is my primary mode of transportation to and from my place of employment. I am sincerely asking the court, as well as Mr. John R. Morton Jr. on behalf Ally Financial, if there is any way such repossession order being filed can be lifted. The personal matters that I was experiencing from March 2018 until December 2018 are finally taken care of and I am no longer in financial hardship. I am able and willing to re-pay the missed payments at this time in order to make my account current. If such is approved and I am able to do so, I would like to mail a certified check to Ally Financial to repay the missed payments on my account in order to avoid repossession of the vehicle. I would have no financial problem making future on-time payments for the 2014 Chevy Malibu to Ally Financial moving forward.

Thank you for your time and consideration on this matter.



Crystal L. Janasiak/Elkins



Bank

America's Most Convenient Bank®

STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Jan 21 2018-Feb 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L Janasiak
2450 Allegheny Ave
Vinceland, NJ 08500
856-723-1512

12/31/17

336

Pay to the Order of Allegheny Estate \$ 180.00
One hundred eighty + 00/100 Dollars

TD Bank
2450 S. Delaware Drive
Vinceland, NJ 08500
856-377-5778

For 2450 Allegheny Ave Crystal L Janasiak

⑆031201360⑆ 787 1093535⑆ 0336

#336 02/01 \$180.00

Crystal L Janasiak
2450 Allegheny Ave
Vinceland, NJ 08500
856-723-1512

1/17/18

338

Pay to the Order of Ally \$ 376.76
Three hundred seventy six + 76/100 Dollars

TD Bank
2450 S. Delaware Drive
Vinceland, NJ 08500
856-377-5778

For 6289210391038 Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0338

#338 01/24 \$376.76

Crystal L Janasiak
2450 Allegheny Ave
Vinceland, NJ 08500
856-723-1512

1/9/18

339

Pay to the Order of Spillie Mae \$ 105.08
One hundred and five + 08/100 Dollars

TD Bank
2450 S. Delaware Drive
Vinceland, NJ 08500
856-377-5778

For 5852 5000-0710-5686/5137 Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0339

#339 01/23 \$105.68

Crystal L Janasiak
2450 Allegheny Ave
Vinceland, NJ 08500
856-723-1512

2/1/18

340

Pay to the Order of Janet's Sewage Authority \$ 195.00
One hundred ninety five + 00/100 Dollars

TD Bank
2450 S. Delaware Drive
Vinceland, NJ 08500
856-377-5778

For ACT H 12301 Crystal L Janasiak

⑆031201360⑆ 787 1093535⑆ 0340

#340 02/06 \$195.00



Bank

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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Feb 21 2018-Mar 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L Janasiak
2420 Allgeheys Ave
Vineland, NJ 08360
856-723-1512

S9 2/17/18

341
06-130312

Pay to the Order of Ally \$376.76
Three hundred seventy six & 71/100

TD Bank
2420 S. Duane Drive
Vineland, NJ 08360
856-723-1512

For Act #628926039638 Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 341

#341 03/02 \$376.76

Crystal L Janasiak
2420 Allgeheys Ave
Vineland, NJ 08360
856-723-1512

2/17/18

342
06-130312

Pay to the Order of Sally Mae \$105.45
One hundred and five & 45/100

TD Bank
2420 S. Duane Drive
Vineland, NJ 08360
856-723-1512

For 585250005405188 Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 342

#342 03/05 \$105.45



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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Apr 21 2018-May 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasiak
2430 Allegheny Ave
Vinceland, NJ 08390
856-723-1512

4/17/18

343
60-136312

Pay to the Order of Ally

Three hundred seventy six and 76/100 \$ 376.76

TD Bank
2430 S. Orange Drive
Vinceland, NJ 08390
856-723-1512

For: 10312013602 787 1093535* 0343

Crystal Janasiak

#343 05/01 \$376.76

Crystal L. Janasiak
2430 Allegheny Ave
Vinceland, NJ 08390
856-723-1512

4/12/18

344
60-136312

Pay to the Order of Sally Mae

One hundred and five and 45/100 \$ 105.45

TD Bank
2430 S. Orange Drive
Vinceland, NJ 08390
856-723-1512

For: 10312013602 787 1093535* 0344

Crystal Janasiak

#344 05/02 \$105.45



Bank

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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: May 21 2018-Jun 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasiak
2430 Allegheny Ave
Vincennes, IN 46060
855-723-1512

345
ES-1365012

S9 5/17/18

Pay to the Order of Alex \$ 376.76
Three Hundred Seventy-six & 76/100 Dollars

TD Bank
2600 S. Delaware Drive
Vincennes, IN 46060
855-723-1512

For 628 944039635 Crystal Janasiak

⑆031201360⑆ 787 1093535⑈ 0345

#345 06/04 \$376.76

Crystal L. Janasiak
2430 Allegheny Ave
Vincennes, IN 46060
855-723-1512

348
ES-1365012

5/15/18

Pay to the Order of Seller Mae \$ 105.45
One hundred and five & 45/100 Dollars

TD Bank
2600 S. Delaware Drive
Vincennes, IN 46060
855-723-1512

For 28525000540508 Crystal Janasiak

⑆031201360⑆ 787 1093535⑈ 0348

#348 06/04 \$105.45



Bank

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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Jun 21 2018-Jul 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasik
2430 Allegheny Ave
Vineland, NJ 08360
856-723-1512

415
6/9/18

Pay to the Order of Allie Mae \$ 105.45
One hundred five + 45/100 Dollars

TD Bank
3603 S. Duane Drive
Vineland, NJ 08360
856-217-6278

For 585230005405618 Crystal Janasik

#415 06/27 \$105.45

Crystal L. Janasik
2430 Allegheny Ave
Vineland, NJ 08360
856-723-1512

416
6/17/18

Pay to the Order of Allie \$ 376.76
Three hundred seventy six + 76/100 Dollars

TD Bank
3603 S. Duane Drive
Vineland, NJ 08360
856-217-6278

For 168926039458 Crystal Janasik

#416 06/28 \$376.76

Crystal L. Janasik
2430 Allegheny Ave
Vineland, NJ 08360
856-723-1512

418
6/22/18

Pay to the Order of Kid Country \$ 42.00
Forty-two + 00/100 Dollars

TD Bank
3603 S. Duane Drive
Vineland, NJ 08360
856-217-6278

For 1031201360178710935356418 Crystal Janasik

#418 06/27 \$42.00



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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Jul 21 2018-Aug 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasiak
2420 Allegheny Ave
Vineyard, NJ 08300
856-723-1512

8/9/18

349

Pay to the Order of Hollie Mae \$ 105.45
One hundred and five + 45/100 Dollars

TD Bank
3850 S. Delosa Drive
Vineyard, NJ 08300
856-327-6278

For Loan # 085250005405086

Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0349

#349 08/14 \$105.45

Crystal L. Janasiak
2420 Allegheny Ave
Vineyard, NJ 08300
856-723-1512

7/25/18

380

Pay to the Order of Hollie Mae \$ 105.45
One hundred and five + 45/100 Dollars

TD Bank
3850 S. Delosa Drive
Vineyard, NJ 08300
856-327-6278

For Loan # 085250005405086

Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0380

#380 07/31 \$105.45

Crystal L. Janasiak
2420 Allegheny Ave
Vineyard, NJ 08300
856-723-1512

7/17/18

381

Pay to the Order of Alley \$ 376.76
Three hundred and seventy six + 76/100 Dollars

TD Bank
3850 S. Delosa Drive
Vineyard, NJ 08300
856-327-6278

For Acct # 089200079098

Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0381

#381 08/02 \$376.76

Crystal L. Janasiak
2420 Allegheny Ave
Vineyard, NJ 08300
856-723-1512

8/17/18

423

Pay to the Order of Katie Guibara \$ 162.00
One hundred sixty two + 00/100 Dollars

TD Bank
3850 S. Delosa Drive
Vineyard, NJ 08300
856-327-6278

For Thirty one

Crystal Janasiak

⑆031201360⑆ 787 1093535⑆ 0423

#423 08/20 \$162.00



Bank

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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Aug 21 2018-Sep 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasiak
2430 Allegheny Ave
Vineland, NJ 08360
856-723-1512

233
09/17

Pay to the Order of Ally \$376.76
Three hundred seventy six + 76/100

TD Bank
3600 N. Collins Drive
Vineland, NJ 08360
856-927-6078

For: 62892603963Y Crystal Janasiak

⑆031201360⑆ 787 1093535⑈ 233

#233 09/17 \$376.76

Crystal L. Janasiak
2430 Allegheny Ave
Vineland, NJ 08360
856-723-1512

234
09/18

Pay to the Order of Gallie Mai \$105.45
One hundred and five + 45/100

TD Bank
3600 N. Collins Drive
Vineland, NJ 08360
856-927-6078

For: 5852500654568Y Crystal Janasiak

⑆031201360⑆ 787 1093535⑈ 234

#234 09/18 \$105.45



Bank

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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 7 of 7
Statement Period: Oct 21 2018-Nov 20 2018
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

Crystal L. Janasiak
2420 Allegheny Ave
Vineland, NJ 08360
856-723-1512

428
10/17/18

Pay to the Order of JOSEPH J. HOFFMAN, JR., P.A. \$ 174.00

One hundred seventy-four and 00/100 Dollars

TD Bank
2600 S. Delsea Drive
Vineland, NJ 08360
856-723-1512

For Crystal L. Janasiak

⑆031201360⑆ 787 1093535⑆ 0128

#428 10/24 \$174.00

Crystal L. Janasiak
2420 Allegheny Ave
Vineland, NJ 08360
856-723-1512

429
10/14/18

Pay to the Order of Kelly Janasiak \$ 376.76

Three hundred seventy-six and 76/100 Dollars

TD Bank
2600 S. Delsea Drive
Vineland, NJ 08360
856-723-1512

For 628924039438 Crystal L. Janasiak

⑆031201360⑆ 787 1093535⑆ 0129

#429 10/29 \$376.76

Crystal L. Janasiak
2420 Allegheny Ave
Vineland, NJ 08360
856-723-1512

430
10/9/18

Pay to the Order of Jalle Mae \$ 105.00

One hundred five and 00/100 Dollars

TD Bank
2600 S. Delsea Drive
Vineland, NJ 08360
856-723-1512

For 38250000502088 Crystal L. Janasiak

⑆031201360⑆ 787 1093535⑆ 0130

#1330 10/29 \$105.00



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STATEMENT OF ACCOUNT

CRYSTAL L JANASIAK

Page: 6 of 6
Statement Period: Dec 21 2018-Jan 20 2019
Cust Ref #: 7871093535-630-E-***
Primary Account #: 787-1093535

	Crystal L. Janasiak 2420 Allegheny Ave Vandant, PA 16050 856-723-1512		383 06-156714
Pay to the Order of	<u>Ally Financial</u>	\$376.76	
<u>Shane Michael Murphy</u>		12/16/18	Notary
TD Bank 2400 S. Duquesne Drive Vandant, PA 16050 856-377-0379	For <u>Acct # 1093535-630</u>		
⑆031201360⑆ 787 1093535⑆ 0383			

#383 01/02 \$376.76